

1 Simon Manoucherian (Bar No. 198760)  
 2 SManoucherian@mmhllp.com  
 2 Frederic Esrailian (Bar No. 232799)  
 3 FEsrailian@mmhllp.com  
 3 MESERVE, MUMPER & HUGHES LLP  
 4 300 South Grand Avenue, 24th Floor  
 4 Los Angeles, California 90071-3185  
 5 Telephone: (213) 620-0300  
 5 Facsimile: (213) 625-1930

6 Attorneys for Defendants  
 7 HM LIFE INSURANCE COMPANY, successor-  
 7 in-interest to GROUPAMERICA INSURANCE  
 8 COMPANY; COMPUWARE CORPORATION  
 8 EMPLOYEE BENEFITS PLAN

## 9 UNITED STATES DISTRICT COURT

## 10 NORTHERN DISTRICT OF CALIFORNIA

12 IRENE DEMEE, } Case No. C 07-03387 JSW  
 13 Plaintiff, } STIPULATION TO DISMISS ENTIRE  
 14 v. } ACTION WITH PREJUDICE;  
 15 GROUPAMERICA INSURANCE } [PROPOSED] ORDER THEREON  
 16 COMPANY, COMPUWARE } [F.R.C.P. 41]  
 17 CORPORATION EMPLOYEE }  
 17 BENEFITS PLAN and DOES 1-50, } Complaint Filed: April 12, 2007  
 18 inclusive , }  
 18 Defendants. }

---

20 Plaintiff IREME DEMEE and Defendant HM LIFE INSURANCE  
 21 COMPANY, successor-in-interest to GROUPAMERICA INSURANCE  
 22 COMPANY ("HM Life"), by and through their respective counsel of record, hereby  
 23 agree and stipulate to dismiss this action in its entirety, with prejudice as to all  
 24 parties defendant, including HM Life and COMPUWARE CORPORATION

LAW OFFICES  
 MESERVE,  
 MUMPER &  
 HUGHES LLP

STIPULATION TO DISMISS ENTIRE  
 ACTION WITH PREJUDICE; ORDER  
 THEREON

1 EMPLOYEE BENEFITS PLAN, pursuant to Federal Rules of Civil Procedure, Rule  
 2 41(a), and each party shall bear its own attorneys' fees and costs in this matter.<sup>1</sup>

3 The parties seek the Court's approval of dismissal of this action with  
 4 prejudice.

5 Dated: November 21, 2007

MESERVE, MUMPER & HUGHES LLP  
 Simon Manoucherian  
 Frederic Esrailian

7 By: \_\_\_\_\_ s/Simon Manoucherian

8 Simon Manoucherian  
 9 Attorneys for Defendant  
 10 HM LIFE INSURANCE COMPANY,  
 11 successor-in-interest to  
 GROUPAMERICA INSURANCE  
 COMPANY, and COMPUWARE  
 CORPORATION EMPLOYEE  
 BENEFITS PLAN

13 Dated: November 13, 2007

LAW OFFICES OF JOHN N. FRYE  
 John N. Frye

15 By: \_\_\_\_\_ s/ John N. Frye

16 John N. Frye  
 17 Attorneys for Plaintiff  
 IREME DEMEE

### **ORDER**

18 Based upon the stipulation of the parties and for good cause shown,

19 **IT IS HEREBY ORDERED** that this action, Case No. C 07-03387 JSW, is  
 20 dismissed in its entirety as to all defendants, including Compuware Corporation  
 21 Employee Benefits Plan, HM Life Insurance Company, and Groupamerica  
 22 Insurance Company, with prejudice.

23 **IT IS HEREBY FURTHER ORDERED** that each party shall bear its own  
 24 attorneys' fees and costs in this matter.

25 Dated: \_\_\_\_\_

26 \_\_\_\_\_  
 Hon. Jeffrey S. White  
 United States District Judge

28 <sup>1</sup> Defendant COMPUWARE CORPORATION EMPLOYEE BENEFITS  
 PLAN was previously dismissed without prejudice.

STIPULATION TO DISMISS ENTIRE  
 ACTION WITH PREJUDICE; ORDER  
 THEREON